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Attorneys for Defendant
BRANDON STUERKE

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SIMON SINGER, individually, and RAO
GARUDA, individually and as trustee of the
GARUDA FAMILY ASSET PROTECTION
TRUST,

Plaintiffs,

v.

BRANDON STUERKE (also known as “Leroy
Brandon Stuerke”), an individual

Defendant.

Case No.: 2:16-cv-02526-KJD-GWF

**STIPULATION AND PROPOSED
ORDER SETTING SETTLEMENT,
MEDIATION AND EXTENDED
DEADLINE TO RESPOND TO SECOND
AMENDED PETITION**

(FIFTH REQUEST)

Plaintiffs and Defendant stipulate and agree, subject to Court approval, as follows:

1. The parties are interested in the possibility of participating in the Court’s early neutral evaluation with mediation before a U.S. magistrate judge.

2. However, due to the fact that the parties do not reside in Nevada and there may be jurisdictional objections if the matter is not resolved, they request that they be permitted to exchange proposals for potential settlement prior to making a final decision to formally enter the Court’s mediation program, allowing them to better determine whether they may be able to reach a settlement through mediation before committing the additional resources to travel to participate in mediation, and that the Court clearly articulate that participating in the program will NOT waive any jurisdictional or other defenses or submit any party to the jurisdiction of the Court which is not already subject thereto.

3. The parties thus request that they be allowed to proceed as follows:

- 1 a. The parties will exchange settlement proposals no later than Friday, December 15,
2 2017, and any counter-proposals no later than Friday, December 22, 2017.
3 b. The parties shall notify the Court on or before December 29, 2017, of one of two
4 options:
5 i. They seek to formally participate in the Court's mediation program; or
6 ii. They do not seek to participate in the mediation program, and, accordingly, a
7 response to the current petition to compel arbitration shall be filed by
8 Defendant on or before January 12, 2018.

9 4. The parties agree, subject to the entry of an order approving this stipulation, that
10 participation by the parties in mediation to be held in Las Vegas, Nevada, shall not be considered a
11 basis for personal jurisdiction or service of process in Nevada upon any party.

12 **DATED** on this 30th day of November, 2017.

13 KAEMPFER CROWELL

14 By: /s/ Louis M. Bubala III
15 LOUIS M. BUBALA III, ESQ.
16 Counsel to Defendant

17 **DATED** on this 30th day of November, 2017.

18 PAUL PADDA LAW, PLLC

19 By: /s/ Paul S. Padda
20 PAUL S. PADDA, ESQ.
21 JOSHUA Y. ANG, ESQ.
22 Counsel to Plaintiffs

23 **ORDER**

24 IT IS SO ORDERED.

25 George Foley Jr.
26 UNITED STATES MAGISTRATE JUDGE
27 Dated: 12/01/2017
28